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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/037,259	12/21/2001	Warren McKinney	717228.7	6172
27128	7590	03/15/2005	EXAMINER	
BLACKWELL SANDERS PEPER MARTIN LLP 720 OLIVE STREET SUITE 2400 ST. LOUIS, MO 63101			CHANG, YEAN HSI	
			ART UNIT	PAPER NUMBER
			2835	

DATE MAILED: 03/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

AK

Office Action Summary	Application No.	Applicant(s)	
	10/037,259	MCKINNEY ET AL.	
	Examiner Yean-Hsi Chang	Art Unit 2835	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 24 February 2005.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1 and 4-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1,4-15 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____. | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____. |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1 and 4-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over AAPA (applicant's admitted prior art as set forth on page 1, line 16 through page 2, line 18 of the specification) in view of Kreckel et al. (US 6,491,781 B1).

Regarding claims 1 and 11, AAPA teaches attaching data storage cards to a display, but does not teach the specific attachment device as claimed. Kreckel teaches removably adhering a device on a display, including an attachment device (12) with a carrier strip (24) with a first adhesive (22) that is permanent and a second adhesive (26) that is reusable. These adhesive are pressure sensitive (see col. 13) and allow for easy removal and replacement of the device. Thus, it would have been obvious to one having ordinary skill in the art at the time the invention was made to use such an adhering device as taught by Kreckel in AAPA to allow for easy removal and replacement with no residual adhesive left on the device. Although Kreckel is silent as to the permanent adhesive being shrink resistant, it would have been obvious for the permanent adhesive

being shrink resistant in order to reduce the risk of tearing or otherwise deforming the display material adhered to the device.

Regarding claims 4-10 and 12-15, Kreckel teaches the first adhesive (22) being pressure sensitive, being relatively permanent, and having stronger peeling strength than the second adhesive (26); and the carrier strip (24) being made of a polymeric material (see col. 13). AAPA teaches the storage device being a data card. Kreckel also teaches a method of making a display assembly as set forth in the specification (see cols. 6-8 and 13-14).

Response to Arguments

3. The Examiner thanks the Applicants for pointing out the mistake in the office action mailed Dec. 1, 2004 regarding claim 15. It has been found that "14" is a typo of "15", and there would be no necessary changes related to the correction of the typo.
4. Applicant's arguments filed Feb. 24, 2005 have been fully considered but they are not persuasive.

Applicants argue, "there is no disclosure of a data storage attachment device that has a carrier strip with adhesive on opposite sides thereof, with one adhesive being a reusable adhesive, and the other adhesive being shrink resistant after application to the display panel. Even the newly cited reference, Kreckel et al. does not have such disclosure", "there is no disclosure of the limitations set forth in Claim 9 about the relative surface areas or that the adhesive is in a plurality of spots as defined in Claim

10", and "there is no disclosure in Kreckel et al. of the releasably adhered device being a data storage device, such as a data card". Regarding the data storage attachment device, please see paragraph 2 hereinabove; regarding the surface areas of the adhesives as defined in claims 9 and 10, it would have been an obvious matter to define an adequate area of an adhesive, since such a modification would have involved a mere change in the size of a component. A change in size is generally recognized as being within the level of ordinary skill in the art. (See MPEP §2144.04, IV A.) Regarding the releasably adhered device being a data storage device, such as a data card, it would not be a problem since the AAPA is used as the primary reference.

Conclusion

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Correspondence

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yean-Hsi Chang whose telephone number is (571) 272-2038. The examiner can normally be reached on 07:30 - 16:00.

If attempts to reach the examiner by telephone are unsuccessful, the Art Unit phone number is (571) 272-2800, ext. 35. The fax phone number for the organization where this application or proceeding is assigned is (703) 305-3431 for regular communications and for After Final communications. There are RightFax numbers and provide the fax sender with an auto-reply fax verifying receipt by the USPTO: Before-Final (703-872-9318) and After-Final (703-872-9319).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-8558.

Yean-Hsi Chang
Primary Examiner
Art Unit: 2835
March 9, 2005



YEAN-HSI CHANG
PRIMARY EXAMINER